

**Notice of Allowability**

Application No.

09/859,416

Examiner

Yixing Qin

Applicant(s)

LUMLEY, JOHN WILLIAM

Art Unit

2622

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 27 July 2005.
2. ☒ The allowed claim(s) is/are 1, 3, 4, 6-15, 17, 18, 20-25, and 27-30.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
EDWARD COLESSUPERVISORY PATENT EXAMINER  
BIOLOGY CENTER 2600

## **DETAILED ACTION**

### ***Response to Amendment***

In response to applicant's amendment received 5/19/05, all requested changes have been entered.

### ***Allowable Subject Matter***

Claims 1, 3, 4, 6-15, 17, 18, 20-25, and 27-30 are allowed. The limitations of the objected claims and any intervening claims from the previous office action have been written into the independent claims, thus making the all the claims allowable.

The following is a statement of reasons for the indication of allowable subject matter: As previously mentioned, the above mentioned claims refer to a selection sheet with a deletion field for indicating the deletion of an image in a digital field medium when marked and scanned.

The Examiner would like to note that the deletion of images is well known as being performed electronically (i.e. on a computer, digital camera, etc.) However, the claimed invention calls for a deletion field on a selection sheet to be marked and is not explicitly disclosed by the prior art.

## **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Allan Lowe on 9/8/05. Strikethrough indicates removal, underline indicates addition.

The application has been amended as follows:

1. limitation (i) of claim 1 should read :

(i) printing a selection sheet of thumbnail representations of photographs available on the medium to be printed, the selection sheet further comprising a plurality of selection fields, ~~each thumbnail representation being associated with at least one selection field;~~

limitation (iv) of claim 1 should begin :

(iv) performing one or more actions relating to the photographs stored on said digital medium, in accordance with said one or more marked selection fields.

2. the fourth line from the top of page 6 of claim 13 should read :

...representation being associated with at least one of said plurality of selection fields...

the 12<sup>th</sup> line from the top of page 6 of claim 13 should read :

...each thumbnail representation printed, ~~a~~ the plurality of selection....

3. The fifth line of claim 28 should read :  
...the selection fields including a delete entry...

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fredlund et al (U.S. Patent No. 5,666,215), Fredlund et al (U.S. Patent No. 6,154,295), Shiota (U.S. Patent No. 6,169,596), Ueda et al (U.S. Patent No. 6,806,974).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yixing Qin whose telephone number is (571)272-7381. The examiner can normally be reached on M-F 9:30-6:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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